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July 2, 2008

**VIA EMAIL & U.S. MAIL**

The Honorable Joseph J. Farnan, Jr.  
United States District Court for the  
District of Delaware  
Lockbox 18  
844 N. King Street  
Wilmington, DE 19801

RE: RLI Insurance Company v. Indian River School District, et al.  
Civil Action No. 1:05-cv-00858-JJF  
Our File No. 4861.003

Dear Judge Farnan:

As the Court's file will reflect, this office represents RLI Insurance Company ("RLI") the above-referenced matter.

Currently pending before Your Honor is RLI's Motion to Compel the *De Bene Esse* deposition of Christian McCone, employee of EDiS Company. The Motion is returnable on July 11, 2008; however, we have received opposition filed by Indian River School District ("IRSD") on June 30, 2008, which states that Mr. McCone received orders for training in Wisconsin on June 7, 2008 and that he is required to report not later than 7:00 a.m. on Monday, July 7, 2008, prior to the return date of the Motion. IRSD's counsel had not seen fit to share that information with us prior to filing its opposition to the Motion.

In light of this information, we respectfully request an emergent hearing, either in person or telephonically, before the July 4, 2008 holiday to address the issues raised in this Motion and the School District's opposition thereto.

Thank you for your kind attention to this matter.

Respectfully yours,



Perry F. Goldlust  
DSB #770

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